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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/918,244	07/30/2001	Anil K. Kumar	INTL-0599-US (P11740)	2277

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EXAMINER	
GREY, CHRISTOPHER P	
ART UNIT	PAPER NUMBER
2667	

DATE MAILED: 03/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/918,244	KUMAR, ANIL K.	
	Examiner	Art Unit	
	Christopher P Grey	2667	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *30 July 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-16* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-16* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities:

(a) The applicant fails to provide a Summary of the invention.

Appropriate correction is required.

Content of Specification

Brief Summary of the Invention: See MPEP § 608.01(d). A brief summary or general statement of the invention as set forth in 37 CFR 1.73. The summary is separate and distinct from the abstract and is directed toward the invention rather than the disclosure as a whole. The summary may point out the advantages of the invention or how it solves problems previously existent in the prior art (and preferably indicated in the Background of the Invention). In chemical cases it should point out in general terms the utility of the invention. If possible, the nature and gist of the invention or the inventive concept should be set forth. Objects of the invention should be treated briefly and only to the extent that they contribute to an understanding of the invention.

Claim Objections

2. Claim 2-8 and 10-16 are objected to because of the following informalities:

Claim 2, 3, 4 After the phrase, "The method of claim 1" a comma (,) is necessary.

Claim 5 After the word comprising, a colon is necessary (:).

Claim 6-8 After the phrase, "The article of claim 5" a comma (,) is necessary.

Claim 10-16 After the phrase, "The telephone of claim" a comma (,) is necessary.

Claim 10 Claim 1 makes reference to a method rather than a telephone

Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Forslow (WO 9916266) in view of Kalliokulju et al. (US 6717928)

Claim 1 Forslow discloses selecting (determining) one of a circuit switched or a packet switched bearer to carry a specific flow (see fig 4 and page 11 lines 3-17).

Forslow discloses an application requesting quality of service parameters (Page 17 lines 5-18), however does not specifically disclose determining the mobility management state of the mobile subscriber and automatically closing the packet data service applications if the mobility management state is idle.

Kalliokulju et al. (Kalliokulju 'hereinafter') discloses using a mobility management technique within a packet switched network, to establish (determine) a connection state (Col 5 lines 57-64 and Col 5 lines 17-24).

Kalliokulju also discloses an idle state where paging signaling is not conducted (closing applications) and the mobile station is unconnected to the network (Col 6 lines 7-30).

It would have been obvious to one of the ordinary skill in the art at the time of the invention to combine the controller for selecting as disclosed by Forslow, with the mobility management technique as disclosed by Kalliokulju in order to set up a

connection state within a packet network and reduce the power consumption of the wireless communication device, thereby extending the standby time of the wireless communication device with one charging (Col 4 lines 37-67).

Claim 2, 6, 14 Forslow does not disclose continuing with active packet data service applications if the mobility management state is ready, however Kalliokulju discloses a ready state where the mobile subscriber transmits and receives packets and the packet network performs paging signaling (Col 8 lines 26-36).

Claim 3, 7, 15 Forslow does not disclose suspending the current packet data service application if the mobile subscriber is in standby state, however Kalliokulju discloses a standby state where data transmission packet are waited (suspended) for (see abstract and Col 6 lines 31-54).

Claim 4, 8, 16 Forslow discloses selecting (determining) a circuit data service network (see fig 4 and page 11 lines 3-17), however does not specifically disclose closing all packet data service applications.

Kalliokulju discloses a mobility management technique applied within a packet switched service (Col 5 lines 17-24 and lines 57-64), where it would have been obvious to one skilled in the art at the time of the invention that the mobility management technique would not be applied to a circuit switched service as selected by the invention of Forslow, therefore the packet data service connections would be unnecessary (closed).

Claim 5 Forslow discloses various algorithms (instructions) and an application flow, where it would have been obvious to one skilled in the art at the time of the

invention that an application is transmitted by some form of processor (page 10 lines 7-18).

Forslow discloses selecting (determining) one of a circuit switched or a packet switched bearer to carry a specific flow (see fig 4 and page 11 lines 3-17).

Forslow discloses an application requesting quality of service parameters (Page 17 lines 5-18), however does not specifically disclose determining the mobility management state of the mobile subscriber and automatically closing the packet data service applications if the mobility management state is idle.

Kalliokulju et al. (Kalliokulju 'hereinafter') discloses using a mobility management technique within a packet switched network, to establish (determine) a connection state (Col 5 lines 57-64 and Col 5 lines 17-24).

Kalliokulju also discloses an idle state where paging signaling is not conducted (closing applications) and the mobile station is unconnected to the network (Col 6 lines 7-30).

It would have been obvious to one of the ordinary skill in the art at the time of the invention to combine the controller for selecting as disclosed by Forslow, with the mobility management technique as disclosed by Kalliokulju in order to set up a connection state within a packet network and reduce the power consumption of the wireless communication device, thereby extending the standby time of the wireless communication device with one charging (Col 4 lines 37-67).

Claim 9 Forslow discloses application running on a mobile station (telephone, see abstract and element 16 in fig 1).

Forslow discloses various algorithms (instructions) and an application flow, where it would have been obvious to one skilled in the art at the time of the invention that an application flow is transmitted by a processor (page 10 lines 7-18).

Forslow discloses selecting (determining) one of a circuit switched or a packet switched bearer to carry a specific flow (see fig 4 and page 11 lines 3-17).

Forslow discloses an application requesting quality of service parameters (Page 17 lines 5-18), however does not specifically disclose determining the mobility management state of the mobile subscriber and automatically closing the packet data service applications if the mobility management state is idle.

Kalliokulju et al. (Kalliokulju 'hereinafter') discloses using a mobility management technique within a packet switched network, to establish (determine) a connection state (Col 5 lines 57-64 and Col 5 lines 17-24).

Kalliokulju also discloses an idle state where paging signaling is not conducted (closing applications) and the mobile station is unconnected to the network (Col 6 lines 7-30).

It would have been obvious to one of the ordinary skill in the art at the time of the invention to combine the controller for selecting as disclosed by Forslow, with the mobility management technique as disclosed by Kalliokulju in order to set up a connection state within a packet network and reduce the power consumption of the wireless communication device, thereby extending the standby time of the wireless communication device with one charging (Col 4 lines 37-67).

Claim 10 Forslow does not specifically disclose supporting both 2nd and 3rd generation applications, however the background of the applicants invention disclose a mode for supporting both 2nd and 3rd generation applications (page 2 lines 1-7).

Claim 11 Forslow discloses an application flow, where it would have been obvious to one skilled in the art at the time of the invention that an application flow is transmitted by a processor (page 10 lines 7-18 and element 12 in fig 1).

Claim 12 Forslow discloses a mobile host (element 12 in fig 1) in the form of a computer, where it would have been obvious to one of the ordinary skill in the art at the time of the invention that the computer is equivalent to a baseband processor

Claim 13 Forslow discloses a computer (baseband processor), however does not disclose a call model. Kalliokulju discloses a mobility management function being conducted by a wireless device, where it would have been obvious to one of the ordinary skill in the art at the time of the invention that this mobility management function is performed by a call model.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

(a) Jayapalan (US 5533019) discloses a method for establishing either a circuit switched network or a packet switched network.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher P Grey whose telephone number is (571)272-3160. The examiner can normally be reached on 6:30-3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham can be reached on (571)272-3179. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Christopher Grey
Examiner
Art Unit 2667

C. Grey
3/18/05

AFSAR QURESHI
PRIMARY EXAMINER
3/21/2005